

UNITED STATES OF AMERICA,)
)
 v.)
) **ORDER**
 TANNER MOREN EAGLE LARCH,)
)
 Defendant.)
)

At the hearing, the Government was represented by Assistant United States Attorney Alexis Solheim. Attorney J.P. Davis, a senior member of the Federal Defender's Office, appeared with Defendant.

Mr. Davis advised that the Federal Defender's Office has reviewed Rule 1.16 of the North Carolina Rules of Professional Conduct and has received advice from the North

Carolina State Bar regarding this matter. Withdrawal is sought pursuant to subsections (b)(1) and (9), with reference to Comment 3.

In order to understand better the basis for the Motion, the Court directed that the record be sealed and the courtroom closed, without objection by the Government. Due to the nature of the conflict, the Federal Defender's Office requested leave to present information *in camera*. The request was allowed and the Court heard very briefly from Mr. Davis, receiving only as much further information as the Court deemed necessary. Thereafter, the record was reopened and the courtroom unsealed.

Being mindful of Defendant's upcoming trial date in this case, and having considered the Motion (Doc. 15), the North Carolina Rules of Professional Conduct, and the nature of the conflict, the Court concludes that withdrawal by the Federal Defender's Office is required.

Accordingly, the Motion (Doc. 15) is **GRANTED** and Assistant Federal Defender Mary Ellen Coleman and the Federal Defender's Office are **WITHDRAWN** as counsel for Defendant. The Federal Defender's Office is **DIRECTED** to assign panel counsel to represent Defendant forthwith.

Signed: February 25, 2019



W. Carleton Metcalf
United States Magistrate Judge

